

HOUSE BILL 501  
By McDaniel

AN ACT to amend Tennessee Code Annotated, Title 36,  
relative to child custody.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-6-101(a)(2)(A), is amended by deleting the current language in its entirety, and by substituting instead the following new subdivision (A):

(A)

(i) When the parents are in agreement, the court shall enter their parenting plan unchanged;

(ii) If the parents are in disagreement, upon request of either parent, the court shall order joint physical custody, with legal custody alternating between parents. When a parent has legal custody, such parent is the custodial parent.

(iii) The court has wide discretion in setting the timing and duration of legal custody alternations, which shall result in a substantially equal schedule, unless one (1) parent agrees to such parent's schedule being less than equal. The equal custody schedule shall include the division of custody from when the case was first filed.

(iv) A court may deviate from any part of this subdivision if clear and convincing evidence shows it places a child in substantial harm.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.